

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

DAVID BYRON ASHCRAFT, #480355	§	
VS.	§	CIVIL ACTION NO. 6:06cv53
DIRECTOR, TDCJ-CID	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge John D. Love. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. Petitioner filed objections to the Report.


This Court made a *de novo* review of Petitioner's objections and determined that they lack merit. This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

**ORDERS, ADJUDGES, and DECREES** that this action is **DISMISSED WITH PREJUDICE**;

**ORDERS** that Petitioner is denied a certificate of appealability; and

**ORDERS** that all motions not previously ruled on are denied.

**SIGNED this 22nd day of February, 2006.**

  
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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE